

MINUTES OF THE CANANDAIGUA CITY COUNCIL MEETING  
THURSDAY, APRIL 5, 2018 7:00 P.M.  
City Council Chambers  
City Website: [canandaiguanewyork.gov](http://canandaiguanewyork.gov)

**Pledge of Allegiance:**

**Roll Call:**

**Members Present:** Councilmember Ward 1 Nick Cutri  
Councilmember Ward 2 Robert Palumbo  
Councilmember Ward 3 Karen White  
Councilmember Ward 4 Renée Sutton  
Councilmember-at-Large Robert O'Brien  
Councilmember-at-Large James Terwilliger  
Councilmember-at-Large Stephen Uebbing  
Mayor Ellen Polimeni

**Members Absent:** Councilmember-at-Large David Whitcomb – (Arrived 7:06 PM)

**Also Present:** City Manager John D. Goodwin  
City Clerk-Treasurer Nancy C. Abdallah  
Assistant City Manager Rob Richardson

Mayor Polimeni asked for a moment of silence to remember Ron Konitski who passed away last week. Ron was a City Councilmember for many years and was a teacher at the Canandaigua City School district.

**Public Hearing on Ordinance 2018-001** – An Ordinance Amending Chapter 850 of the Municipal Code Entitled “Zoning” Regarding “Short Term rentals”.

Mayor Polimeni opened the public hearing at 7:14 PM.

- Bill Keiper – 252 North Main St. and owner of Oliver Phelps Bed and Breakfast – This is a positive step by City Council with the ordinance as proposed that permits residential owners to pursue a short-term rental business with their property with appropriate safeguards, inspections and maximum number of occupants. It sets fair standards to ask short term rentals to collect the same occupancy tax as traditional hotels and B&B's. We wished it went further to require appropriate insurance and require a manager in residence. We only want to see a managed approach to short term rentals. For the most part we do not compete for the same customer such as families with children or pets and those not seeking services provided from traditional hotels and B&B's. And we realize this short-term rental could be good for local businesses. What is bad for local businesses are ugly incidents such as a party gone trashy popping up on social media. Our businesses spend \$1,000's a year promoting Canandaigua and downtown and host 1,000's of guests each year.
- Joan Geise – 92 Gibson St.- Has owned a multiple dwelling for 23 years and during that time the City has found it necessary to put more and more restrictions on properties because of all the issues that arise. Every 3 years you have to be inspected and pay extra for refuse pick up. These are all necessary because of the added burden to the City when running a business. It is important that if someone is going to move to a business in a home, that they follow the same codes and restrictions like everyone else has to follow. I am also unhappy with the air B&B's because it will turn residential areas into business areas. If people want to run a business then they should be located in

mixed use or commercial zoned areas. It is important to maintain neighborhoods for families and not areas that are transient in which you do not know who will be living next to you.

- Eric Moon –Owner and operator of the Quiet Place, which is a collection of 20 single family dwellings scattered throughout the Bristol Hills. He has seen a great impact on the Air B&B model over the last couple years. There are over 250 websites for short term rentals. We have seen an explosion in this type of business because people do not have enough discretionary income. People try to rent anything they possibly can and this raises serious issues. As previously noted, traditional B&B's spend thousands of dollars bringing their properties up to code, and to comply with zoning and health and safety regulations. Properties on short term rentals sites aren't doing any of this and they are not charging sales or occupancy taxes. Right now, there are 65 properties listed on air B&B sites in the City of Canandaigua. I am also concerned with short term rentals in the County at large. The County wants to expand the occupancy to anyone renting rooms which would cost more to enforce than they would gain. The occupancy tax should be eliminated and replaced with additional sales tax to make up the difference.
- Jill and Bill Myers – 290 North Main St- Owner and Innkeepers of Bella Rose Bed and Breakfast – Hundreds of municipalities have already implemented regulations for short term rentals to protect their communities and visitors and to alleviate problems associated with transient rentals. We are not seeking to prohibit short term rentals but are asking to be treated fairly. Short term rentals advertise on sites that are largely unregulated and are often able to offer lower rates because they are not subject to the same rules and regulations we are. We must comply with numerous building regulations and requirements such as inspections, minimum parking requirements, mandated owner on site to address issues, collection of sales and occupancy tax. We went through a zoning review process so neighbors could publicly comment and address any concerns before we could conduct business. The City needed to determine that our business was compatible with the adjacent properties and neighborhood. Short term rentals are largely invisible. Neighbors have a right to know how properties in their neighborhoods are being used and have an opportunity to publicly comment on such use. They should not be rewarded for operating largely under the radar and for not complying with the same rules and regulations of inspections, zoning reviews and taxes. We need to protect the community, neighbors and visitors. The Council should also review requirements passed by other communities such as Ithaca and Victor that require managers on site.
- Jaynee Straw – 176 North Main St.-Inn on the Main – My comments mirror Bill and Jill Myers. I have operated the Inn on the Main B&B for 14 years in Canandaigua and love the community and the people and would not like to see it change. Although we do not primarily compete with the same customers we have noticed a \$10,000 reduction in income. This does concern us because we are business owners trying to make a living.

Mayor Polimeni closed the public hearing at 7:35 PM.

**Review of Community Core Values:** Councilmember Ward 3 White read Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

### **Approval of Minutes:**

March 1, 2018

Moved: Councilmember-at-Large Terwilliger

Seconded: Councilmember-at-Large O'Brien

*Vote Result: Carried unanimously by voice vote (9-0)*

### **Recognition of Guests:**

- Susan Jackson- Conservation Chair for the Canandaigua Chapter of the DAR – The DAR was started in 1890 and the Conservation Committee was formed in 1909 which serves to preserve the American Landscape. The DAR would like to plant and maintain a butterfly garden at the entrance to Lagoon Park. We have lost 80% of the monarch butterfly population. We would plant a butterfly bush as well as other native plants. There would be no cost to the City or work required from City crews. City Manager John D. Goodwin said that they should meet with the City park staff to go over their plan and also need to sign volunteer release forms. Joel Freedman stated that this is a great idea but should be contingent upon the City continuing the moratorium on pesticides. *Motion: Councilmember-at-Large Terwilliger moved to approve the concept and to work with the City Park staff on the plan. Councilmember-at-Large Uebbing seconded the motion.*  
*Vote Result: Carried unanimously by voice vote (9-0)*
- Mayor Polimeni reported on the Ontario County Safety Council Awards banquet in which the following City Employees received awards:  
Firefighters: Ben Cramer, Don Phillips, Sam Loiacono, Lee DeRuyter, Taylor Northrup, volunteer Adam Faville  
Police Officers: Darrin Bartolotta, Michael Cole, Christopher Reynolds, Scott Kadien and Vince Delforte, Joshua Raymond
- Joel Freedman, Canandaigua NY – Sent an article published in 2012 to City Council from the Penn Yan Chronicle Express detailing a study by a Hobart College Professor which projects that Seneca Lake will be undrinkable and foul smelling within 20 years. He said that recent indicators predict that this would happen sooner than 20 years and we need to look at preserving our lake. The Council should pass the pesticide proposal banning pesticides on the “right of way” as well as all City properties.
- Denise Chaapel – BID Manager – Updated City Council on new businesses and upcoming events.
- Joel Freedman – Canandaigua NY – was pleased that the grand jury exonerated Sergeant Kadien and that Police Chief Hedworth restored him to active duty. City Council should pass a resolution expressing appreciation and support for him.

## **Committee Reports:**

***Planning/Development Committee Meeting:*** March 6, 2018 (Appendix A) and a Joint meeting with Finance on April 3<sup>rd</sup>

- Mini-Storage Rezoning Request
- Blue Zones Project

***Environmental/Parks Committee Meeting:*** March 13, 2018 (Appendix B)

- Transfer Station Agreement
- Town Dog Park Agreement
- Civic Center Sign
- Special Event – Make Music Canandaigua New York

***Ordinance/Charter Committee Meeting:*** March 20, 2018 (Appendix C)

- Phoenix Street Parking
- Ordinance #2018-001 Short Term Rentals and SEQR
- Proposed Solutions for Mini-Storage Rezoning Request
- Intermunicipal Agreement for Dog Park
- Peacemaker Brewing Concert at Rio Tomatlan

***Finance/Budget Committee Meeting:*** Joint meeting with Finance on April 3<sup>rd</sup> (Appendix D)

- 2017 Unaudited Financial Report
- Tinkergarten Proposal
- IT Department with Geneva
- Surplus Property
- Capital Budget Amendment - Equipment Change
- HVAC Maintenance
- Alternative Chlorination Change Order
- Water Treatment Plant Electrical
- Arterial Maintenance Agreement
- Body Worn Cameras
- SAFER Grant

***Watershed Council Meeting:***

- Condition of the lake
- Grants for the year

**Resolutions:**

**Resolution #2018-021:**

Moved: Councilmember-at-Large O'Brien

Seconded: Councilmember Ward 3 White

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE TRANSFER FACILITY USAGE AGREEMENT WITH THE TOWN OF CANANDAIGUA**

**WHEREAS**, the City of Canandaigua and Town of Canandaigua entered into a Transfer Facility Usage Agreement dated May 1, 2014; and

**WHEREAS**, the Agreement was scheduled to terminate on October 31, 2014; and

**WHEREAS**, the City and Town have twice amended the Agreement to allow the City to use the Transfer Facility for until April 31, 2018; and

**WHEREAS**, the City desires to continue the Agreement and further explore a long-term arrangement with the Town to share a transfer facility;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Canandaigua that the City Manager is authorized to execute an amendment to the Transfer Facility Usage Agreement with the Town of Canandaigua to provide for continued use of the Transfer Facility for up to one year with a termination date of April 31, 2019.

*The motion CARRIED UNANIMOUSLY on the following vote:*

**AYES:** Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.

**NOES:** None

**Resolution #2018-022:**

Moved: Council Member Ward 2 Palumbo  
Seconded: Councilmember Ward 4 Sutton

**A RESOLUTION AUTHORIZING A SPECIAL EVENT:  
MAKE MUSIC CANANDAIGUA, NY**

**WHEREAS**, the City Council of the City of Canandaigua has received the following application for a special event in the City of Canandaigua:

***Downtown Canandaigua Business Management Association– Make Music Canandaigua, NY***

Date: June 21, 2018

Location: All parks, sidewalks, businesses and open areas in the City of Canandaigua

Coordinator: Denise Chaapel –BID

Time: 10:00 AM – 8:00 PM

Purpose: To bring a National event that expands year after year to the City of Canandaigua that promotes the arts and attracting visitors.

Expected Number of Participants: 2500 throughout the day, possibly more

**WHEREAS**, this request was reviewed and approved at the March 13, 2018 Environmental/Parks Committee meeting;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Canandaigua that permission is granted to hold the above mentioned special event at the time and location listed under the following conditions:

- 1) that no fee or admission shall be charged to the general public for admission to the special event; and
- 2) that alcoholic beverages are not permitted to be sold or consumed on public property; and
- 3) that if the event coordinators intend to place any signs in the Main Street median, such signs shall only be allowed by permit of New York State Department of Transportation; and
- 4) that the event coordinator will ensure that all tents that are required to be inspected will be inspected prior to the start of the special event; and
- 5) that a detailed summary of all costs under the City's special event policy will be provided to the event coordinators for reimbursement.

**BE IT FURTHER RESOLVED** that the organizer of the Special Event shall adhere to any regulations that the City Manager, or the City Police Department, shall establish to insure the health and safety of Canandaigua residents and visitors throughout these events.

*Vote Result: Carried unanimously by voice vote (9-0)*

**Resolution #2018-023** – Resolution placed on the table

**A RESOLUTION DETERMINING THE ENVIRONMENTAL SIGNIFICANCE OF ORDINANCE  
#2018-001  
(Regulating Short Term Rentals)**

**WHEREAS**, the City Council has introduced Ordinance #2018-001, which would regulate Short-Term Rentals; and

**WHEREAS**, the City Council has reviewed the attached Environmental Assessment Form (EAF) for the proposed ordinance, has identified the relevant areas of environmental concern, and has taken a hard look at these areas of concern; and

**WHEREAS**, upon review of the information recorded on the EAF regarding project impacts and consideration of both the magnitude and importance of each impact, it is reasonably determined that the project will result in no major adverse impacts and, therefore, will not cause significant damage to the environment;

**NOW, THEREFORE, BE IT RESOLVED** by the Canandaigua City Council that Ordinance #2018-001 will not have a significant adverse environmental impact, and directs that the attached SEQR Negative Declaration be filed in accordance with the requirements of the New York State Environmental Quality Review Act.

**Resolution #2018-024:**

Moved: Councilmember Ward 3 White

Seconded: Council Member Ward 1 Cutri

**A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING**

**WHEREAS**, the City of Canandaigua is contemplating amendments to Chapter 850 of the Municipal Code to permit Self-Storage Facilities in the MU-3 Zone District; and

**WHEREAS**, the City of Canandaigua is also contemplating amending the zoning ordinance: Article V: Establishment of Zone Districts; and

**WHEREAS**, making amendments to the Municipal Code requires that a public hearing be held to obtain citizen comments;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Canandaigua that a public hearing regarding the proposed amendments to Chapter 850 of the Municipal Code shall be held in the City Council Chambers, City Hall, 2 North Main Street, Canandaigua, New York during the City Council meeting held at 7:00 p.m. on May 3, 2018; and

**BE IT FURTHER RESOLVED**, that the City Clerk shall cause notice to be given and published as required by law.

*Vote Result: Carried unanimously by voice vote (9-0)*

**Resolution #2018-025:**

Moved: Councilmember Ward 3 White

Seconded: Councilmember-at-Large Whitcomb

**A RESOLUTION AUTHORIZING AN EXCEPTION TO THE NOISE ORDINANCE**

**WHEREAS**, the Peacemaker Brewing Company and Rio Tomatlan are planning a concert to take place in the parking lot of Rio Tomatlan on July 28, 2018; and

**WHEREAS**, the concert will take place from 6:00 PM to 10:30 PM and is expected to create noise levels that exceed those generally permitted by the City's Noise Ordinance; and

**WHEREAS**, § 494-6(F) of the Municipal Code of the City of Canandaigua provides that the City Council may grant exceptions to the Noise Ordinance through a resolution on the basis of special or unusual circumstances and that the City Council, if it grants a special exemption, may apply restrictions such as the Council deems appropriate; and

**WHEREAS**, the Peacemaker Brewing Company and Rio Tomatlan requested such an exemption and said request was reviewed and approved by the Ordinance Committee at its March 20, 2018 meeting;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Canandaigua that a special exemption to the Noise Ordinance is hereby granted to the Peacemaker Brewing Company and Rio Tomatlan for a concert to be held on July 28, 2018; and

**BE IT FURTHER RESOLVED** that the Peacemaker Brewing Company and Rio Tomatlan shall provide written notice at least two weeks in advance of the event to the surrounding neighborhood on Bemis, Chapin, Bristol, Coach and Coy Streets and Ellis Place.

*The motion CARRIED on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

*NOES: Councilmember-at-Large Terwilliger*

### **Resolution #2018-026**

Moved: Councilmember-at-Large Uebbing

Seconded: Councilmember-at-Large Whitcomb

### **A RESOLUTION AMENDING THE CAPITAL BUDGET**

**WHEREAS**, the 2018 Capital Budget included funding (\$27,500) for the purchase of a mini skid steer for use within City parks as well as assist in sidewalk maintenance activities; and

**WHEREAS**, while searching for this piece of equipment, staff found a mini pay loader that would accomplish the same tasks as the mini skid steer and could be utilized for other DPW operational needs due to the numerous attachments that can be added; and

**WHEREAS**, this machine will cost \$38,500 which necessitates that \$11,000 be appropriated or moved from other capital projects; and

**WHEREAS**, several capital projects are underbudget, including the Ferris Mower replacement (\$1,897), the Bobcat Trade-In Program (\$6,500) for the defunct Bobcat Trade-in Program, the replacement for Truck P-3 (\$2,000), and the replacement of trucks T-18, T-19, and T-23 (\$17,518.50); and

**WHEREAS**, Staff recommends amending the Capital Budget and authorizing the transfer of \$11,000 from the aforementioned projects to purchase the mini pay loader;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council of the City of Canandaigua authorizes the transfer of funds from the aforementioned underbudget projects to cover the additional \$11,000 necessary to make the purchase; and

**BE IT FURTHER RESOLVED**, that City Council hereby amends the Capital Budget to purchase a mini pay loader for an amount no greater than \$38,500.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

*NOES: None*

**Resolution #2018-027:**

Moved: Council Member Ward 1 Cutri

Seconded: Council Member Ward 2 Palumbo

**A RESOLUTION AUTHORIZING A CHANGE ORDER FOR ALTERATIONS TO THE CHLORINE CONVERSION PROJECT AT THE WATER TREATMENT FACILITY**

**WHEREAS**, last year the Water Treatment Plant started the installation of an alternative non-gaseous system to replace a gaseous chlorine system which is utilized to disinfect drinking water; and

**WHEREAS**, funding for this project was included in the 2017 Water Treatment Facility Capital Budget (\$610,158) and the overall project is well under budget with the contract awarded to Empire State Mechanical via Resolution #2017-090 totaling \$292,971; and

**WHEREAS**, Empire State Mechanical Contractors submitted a proposed fee change order of \$5,945.88 to fund and complete the work associated and necessary work including the relocation of ultrasonic level sensors, substitute vented ball valves, add booster pump starters, and the additional electrical work associated; and

**WHEREAS**, because the original resolution authorizing construction did not include a contingency or authorization for change orders, City Council authorization is required for the above referenced change order;

**WHEREAS**, the Director of Public Works and City Manager recommend approving the change order which was reviewed at the joint Planning/Development and Finance/Budget Committee meeting on April 3, 3018;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council hereby authorizes the the contract change order with Empire State Mechanical Contractors located at 3055 Sherwood Road in Palmyra, NY for the relocation of ultrasonic level sensors, substitute vented ball valves, add booster pump starters, and the additional electrical work associated change not to exceed \$5,945.88.

*The motion CARRIED UNANIMOUSLY on the following vote:*



*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

*NOES: None*

**Resolution #2018-028:**

Moved: Councilmember-at-Large Terwilliger

Seconded: Council Member Ward 2 Palumbo

**A RESOLUTION AMENDING THE 2018 WATER FUND CAPITAL BUDGET-  
ELECTRICAL SYSTEM MAINTENANCE/UPGRADE**

**WHEREAS**, the Water Plant has experienced several failures of electrical components within the system in the Fall of 2017 due to the age of the several system components as well as mixing old parts with new parts; and

**WHEREAS**, the 2018 Water Capital Budget included \$190,000 to replace the plant's main 1600-amp electrical feed and switch gear, along with its pump breakers, which date back to 1979; and

**WHEREAS**, the high lift soft starts also need to be replaced, which will cost an additional \$30,000; and

**WHEREAS**, although all the recent failures were fixable, they temporarily stopped the Plant from producing water, and additional failures put the city at risk of being without the ability to pump water, leaving the City only has a two to three (2-3) day supply; and

**WHEREAS**, at its October 5, 2017 meeting City Council passed Resolution #2017-102 to appropriate \$220,000 from the 2017 Water Capital Reserve to begin to proactively address these issues; and

**WHEREAS**, the required work was not able to start by the end of 2017 and funds must be appropriated for work to be completed;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council hereby approves a Water Budget Capital Amendment appropriating \$220,000 from the Water Capital Reserve for the required system replacement and upgrades.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

*NOES: None*

**Resolution #2018-029:**

Moved: Council Member Ward 1 Cutri

Seconded: Council Member Ward 2 Palumbo

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT  
WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE**

## **MAINTENANCE AND REPAIR OF STATE ARTERIAL ROUTES WITHIN THE CITY OF CANANDAIGUA**

**WHEREAS**, an arterial maintenance agreement between the City of Canandaigua and the New York State Department of Transportation (NYSDOT) in 1951 allowing for reimbursement by the State of New York to the City of Canandaigua for the repair and maintenance of those individual sections; and

**WHEREAS**, the agreement, due to expire November 30, 2049, states the City will be reimbursed \$0.85 per square yard for at grade sections for the maintenance of New York State roads; and

**WHEREAS**, due to an audit objection by the Office of the State Comptroller, a new supplemental agreement is required that includes set dollar amounts in the contract; and

**WHEREAS**, this supplemental agreement must be signed so the City of Canandaigua can be reimbursed for the work it is currently doing, as well and all the work done in 2017; and

**WHEREAS**, the proposed supplemental agreement was recommended by the City Manager and the Director of Public Works, and reviewed at the joint Finance/Budget and Planning/Development Committee meeting on April 3rd;

**NOW, THEREFORE, BE IT RESOLVED** that the Canandaigua City Council hereby authorizes the City Manager to execute the attached supplemental agreement for maintenance and repair of State Arterial Highways with the NYSDOT.

*The motion CARRIED UNANIMOUSLY on the following vote:*

***AYES:** Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

***NOES:** None*

### **Resolution #2018-030:**

Moved: Councilmember-at-Large O'Brien

Seconded: Councilmember-at-Large Terwilliger

## **A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTER-MUNICIPAL AGREEMENT WITH THE CITY OF GENEVA**

### **FOR INFORMATION TECHNOLOGY SERVICES**

**WHEREAS**, the City of Geneva and the City of Canandaigua entered into an intermunicipal agreement for a Shared Information Technology Services Department in 2015 as an opportunity to achieve shared efficiencies and drive down costs of service provision; and

**WHEREAS**, this agreement has been a mutually beneficial for both cities, creating a shared services opportunity that meets the needs of both municipalities and reducing costs considerably; and

**WHEREAS**, the initial agreement expired, and both municipalities want to renew the Inter-

Municipal Cooperation Agreement (IMA) pursuant to Article 5-G of the General Municipal Law to share Information Technology staff and the associated costs through December 31, 2020; and

**WHEREAS**, the IMA was reviewed at the April 3, 2018 Finance/Budget and Planning/Development Joint Committee meeting;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Canandaigua that the City Council hereby authorizes the City Manager to execute an Inter-Municipal Cooperation Agreement, substantially in the same form as attached hereto, between the City of Canandaigua and the City of Geneva to share Information Technology staff.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

*NOES: None*

**Resolution #2018-031:**

Moved: Council Member Ward 1 Cutri

Seconded: Councilmember Ward 4 Sutton

**A RESOLUTION DECLARING VARIOUS USED AND UNWANTED  
CITY VEHICLES SURPLUS**

**WHEREAS**, there exists used and unwanted vehicles, so noted on the attached list, that are no longer essential to the operations of the City of Canandaigua; and

**WHEREAS**, it is necessary to declare as surplus the vehicle on the attached list such that they may be sold at public auction, via sealed bid, or as trade ins; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Canandaigua hereby declares as surplus the vehicles contained on the attached list and they are to be sold to the highest bidder at a public auction, through sealed bids or to be traded in on future equipment purchases pursuant to City and State purchasing guidelines.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

*NOES: None*

**Resolution #2018-032:**

Moved: Councilmember-at-Large Uebbing

Seconded: Councilmember-at-Large Whitcomb

**A RESOLUTION AUTHORIZING THE PURCHASE OF BODY-WORN CAMERAS  
FOR THE CITY OF CANANDAIGUA POLICE DEPARTMENT**

**WHEREAS**, the City of Canandaigua Police Department has been exploring the possibility of implementing body-worn cameras as an additional resource to protect City residents; and

**WHEREAS**, in 2017, the department began a pilot program field testing different devices to explore the viability of using body-worn cameras in the City of Canandaigua, as well as to determine which device and vendor would be the best option should body-worn cameras be implemented; and

**WHEREAS**, in total, the City of Canandaigua Police Department field tested three (3) separate devices for three (3) separate vendors, and based on the overall evaluation of the cameras, the software, and the support services associated with the cameras, Staff recommends the Axon Body2 Cameras because their cameras, software, and support offer the best value for the City; and

**WHEREAS**, the funding for the purchase of body-worn cameras was included in the Adopted 2018 Capital Budget; and

**WHEREAS**, the recommendation was reviewed at the joint Planning/Development and Finance/Budget Committee meeting held April 3, 2018;

**NOW, THEREFORE, BE IT RESOLVED**, the City Council of the City of Canandaigua hereby authorizes the City Manager to execute a contract with Axon Enterprises for the purchase, maintenance and product support of body-worn cameras for the Police Department.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

*NOES: None*

### **Resolution #2018-033:**

Moved: Councilmember Ward 4 Sutton

Seconded: Council Member Ward 2 Palumbo

### **A RESOLUTION SUPPORTING THE APPLICATION FOR A SAFER GRANT FOR HIRING ADDITIONAL PROFESSIONAL FIREFIGHTERS**

Discussion:

- Councilmember Ward 4 Sutton is in favor of this resolution to support the fire department and Chief Magnera, whose expertise we rely on, has stated that he needs additional firefighters and this is a step in the right direction to accomplish this.
- Councilmember-at-Large Uebbing indicated that the City is currently doing a safety study to determine how many fire fighters we need and to advise us of the options to consider. We should apply for this grant to put us in a position to execute recommendations from the study that would recommend additional firefighters and to let the federal government help pay for it.
- Council Member Ward 2 Palumbo stated that the Fire Chief's recommendation was for five firefighters and asked if that should be added to resolution.

Council Member Ward 2 Palumbo moved to amend the resolution to request 5 firefighters. Councilmember-at-Large Whitcomb seconded the motion.

Discussion:

- Councilmember Ward 3 White stated that if we apply for the grant and we do not accept it then we would be at a disadvantage in the future. This is also putting us in a position to pass something that might not be sustainable. We should wait for the results of the study and develop a plan going forward.
- Councilmember-at-Large Terwilliger agrees with the previously mentioned comments on the fire study however shares the view that we should not apply for the grant until we know the outcome of the study to determine our course of action. We do not want to be put in a position that we may have to turn down the award or commit the council to increase the staffing. We are putting the cart before the horse in applying for the grant prematurely ahead of the fire study. Because this grant is only for a period of three years, and only provides partial funding of the positions, this should not be the determining factor if firefighters should be hired. This is a long term financial commitment that needs to be considered.
- Councilmember-at-Large Whitcomb understands and agrees with comments but feels we do not have anything to lose by applying for the grant and that the Council should have the study in time to make a decision on accepting the grant.
- Councilmember Ward 4 Sutton understands the financial concerns but we need to also look at where the City will be in three years and the completed developments that we will be entrusted to protect.
- Council Member Ward 2 Palumbo stated that the need for additional fire staffing is now.
- Ryan Zanghi, 141 Hubbell St.-Volunteer firefighter- is not a professional firefighter even though has taken advantage of training but does not have the time to go through the training at Montour Falls to be as skilled as the professional firefighters. The level of fire protection in the City is inadequate. Fires are less prevalent but deadlier than 50 years ago.
- Mike Yarger, Canandaigua 2020 – We could lose 5 firefighters over the next few years. We are understaffed and do not think that 5 is adequate.
- Councilmember-at-Large Terwilliger – We would replace any firefighter that retires and it cannot be replaced by the safer grant. Also, there has been a lot of discussion on what the size of the department should be and he would like to see the VA be called on first alarm and not on second for mutual aid. This would allow 4 professional firefighters to be on scene with in the first few minutes.

**Vote on amendment to the resolution:**

*The motion on the Amendment CARRIED on the following vote:*

**AYES:** Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.

**NOES:** None Councilmember Ward 3 White, Councilmember-at-Large O'Brien

**AMENDED RESOLUTION**  
**A RESOLUTION SUPPORTING THE APPLICATION FOR A SAFER GRANT**  
**FOR HIRING ADDITIONAL PROFESSIONAL FIREFIGHTERS**

**WHEREAS**, the Fire Chief has recommended that the City apply for a Federal Fiscal year (FY) 2017 Staffing for Adequate Fire and Emergency Response (SAFER) Grants in the program area titled Hiring Additional Professional Firefighters; and

**WHEREAS**, per the grant process, the applicant must certify that the governing body has been informed of the applicant's intention to submit a SAFER grant request, that the governing body acknowledges the commitment required for the grant if awarded, and that appropriate financial support will be secured for the applicant's cost sharing; and

**WHEREAS**, the application period for the grant ends on April 27, 2018;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council has been informed of the intention to submit a SAFER grant request, acknowledges the commitment required for the grant if awarded, and will secure the appropriate financial support for the applicant's cost sharing, and;

**BE IT FURTHER RESOLVED**, that City Council for the City of Canandaigua hereby authorizes Staff to submit a SAFER grant application **for five firefighters** in the program area Hiring Additional Professional Firefighters.

**Vote on Amended Resolution:**

*The motion on the Amended Resolution CARRIED on the following vote:*

**AYES:** Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.

**NOES:** None Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger

**Resolution #2018-034:**

Moved: Council Member Ward 2 Palumbo

Seconded: Council Member Ward 1 Cutri

**A RESOLUTION SUPPORTING THE APPLICATION FOR A SAFER GRANT  
FOR THE RECRUITMENT AND RETENTION OF VOLUNTEERS**

**WHEREAS**, the Fire Chief has recommended that the City apply a Federal Fiscal year (FY) 2017 Staffing for Adequate Fire and Emergency Response (SAFER) Grants in the program area of Recruitment & Retention of Volunteers; and

**WHEREAS**, per the grant process, the applicant must certify that the governing body has been informed of the applicant's intention to submit a SAFER grant request, that the governing body acknowledges the commitment required for the grant if awarded, and that appropriate financial support will be secured for the applicant's cost sharing; and

**WHEREAS**, the application period for the grant ends on April 27, 2018;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council has been informed of the intention to submit a SAFER grant request, acknowledges the commitment required for the grant if awarded, and will secure the appropriate financial support for the applicant's cost sharing, and;

**BE IT FURTHER RESOLVED**, that City Council for the City of Canandaigua hereby authorizes Staff to submit a SAFER grant application in the program area Recruitment & Retention of Volunteers.

*The motion CARRIED UNANIMOUSLY on the following vote:*

**AYES:** Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.

**NOES:** None

**Resolution #2018-035:**

Moved: Council Member Ward 2 Palumbo

Seconded: Councilmember Ward 4 Sutton

**A RESOLUTION AUTHORIZING THE AMENDED PLAN FOR THE INSTALLATION OF EXTERIOR FENCING AT TWISTED RAIL BREWING COMPANY**

**WHEREAS**, Twisted Rail Brewing Company, located at 169 Lakeshore Drive, Canandaigua NY, would like to install a fence around their exterior patio to replace the tent they previous used; and

**WHEREAS**, Twisted Rail leases the property at 169 Lakeshore Drive from the City of Canandaigua, and part of their lease requires them to obtain City approval for changes made to the property; and

**WHEREAS**, at the Environmental/Parks Committee meeting held February 13<sup>th</sup>, representatives from Twisted Rail presented their plan, with the Committee voting to approve the proposal;

**WHEREAS**, at its March 1<sup>st</sup> meeting, City Council approved the original proposal which called for the installation of vinyl fencing; and

**WHEREAS**, at its March 13<sup>th</sup> meeting the Environmental/Parks Committee approved an amended proposal which included the installation of wooden fencing instead of vinyl; and

**WHEREAS**, the changed proposal requires an amended resolution be passed;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council for the City of Canandaigua authorizes Twisted Rail Brewing Company to install wood shadow box fence instead of vinyl, as outlined in the plan attached hereto and made a part hereof, around their exterior patio per the terms of the lease agreement.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

*NOES: None*

**Resolution #2018-036:**

Moved: Councilmember-at-Large Terwilliger

Seconded: Council Member Ward 1 Cutri

**A RESOLUTION CREATING LIENS UPON CERTAIN CITY PROPERTIES FOR WATER AND SEWER FEES, SOLID WASTE COLLECTION FEES AND CODE ENFORCEMENT AND FIRE INSPECTION ARREARS**

**WHEREAS**, Chapter 14.18 of the City of Canandaigua Charter and Section 452.4 of the General Municipal Law authorizes the creation of property tax liens for delinquent water and sewer charges; and

**WHEREAS**, Chapter 292-4 B and Chapter 748-84 of the City of Canandaigua Municipal Code authorize the creation of tax liens for delinquent charges for services performed by the City of Canandaigua Code Enforcement Department and unpaid inspection fees; and

**WHEREAS**, Chapter 600-12 F of the City of Canandaigua Municipal Code authorizes the creation of tax liens for delinquent snow removal fees for inspections performed by the City of Canandaigua Department of Public Works; and

**WHEREAS**, Chapter 714-31 B of the City of Canandaigua Municipal Code authorizes the creation of tax liens for delinquent fire inspection fees for inspections performed by the City of Canandaigua Fire Department; and

**WHEREAS**, Chapter 585-12 F(3) of the City of Canandaigua Municipal Code authorizes the creation of tax liens for delinquent solid waste collection fees; and

**WHEREAS**, at this date several such outstanding invoices in arrears exist on the City records which are detailed in the attached statement; and

**WHEREAS**, the property owners on the attached list have been notified of the delinquent charges by the City of Canandaigua Clerk/Treasurer's Office;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Canandaigua that there are hereby created liens on the properties listed on the attached statement; and

**BE IT FURTHER RESOLVED**, that said liens shall be added to the City's tax roll and enforced in the same manner as other City taxes.

*The motion CARRIED UNANIMOUSLY on the following vote:*

***AYES:** Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

***NOES:** None*

**Resolution #2018-037:**

Moved: Councilmember-at-Large O'Brien

Seconded: Councilmember Ward 4 Sutton

**A RESOLUTION AWARDED A SERVICE CONTRACT FOR MAINTENANCE  
OF HVAC SYSTEMS IN CITY OF CANANDAIGUA BUILDINGS**

**WHEREAS**, the City of Canandaigua DPW recently opened bids to supply annual preventative maintenance efforts as well as provide labor for repair work on HVAC systems in City Buildings; and

**WHEREAS**, only one vendor, Landry Mechanical Contractor, Inc. located at 164 Flint Hill Road in Caledonia, NY responded with a bid in the amount of \$16,625 for annual preventative maintenance; and

**WHEREAS**, the contract also includes the following terms for unscheduled service calls; \$85 per hour for service calls and a travel charge of \$45 per truck; \$120 per hour for emergency repair work with a



travel charge of \$45 per truck and an expense charge of \$200; and a 25% markup on all materials and equipment needed to repair or replace HVAC equipment; and

**WHEREAS**, Staff recommends awarding the contract to Landry Mechanical Contractor, Inc.;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council hereby authorizes the City Manager to execute a contract with Landry Mechanical Contractor, Inc. at a cost of \$16,625 to provide preventative annual maintenance effort of the City's HVAC equipment, \$85 per hour for unscheduled service calls with a travel charge of \$45 per truck; \$120 per hour for emergency repair work with a travel charge of \$45 per truck and an expense charge of \$200, and a 25% markup on materials and equipment needed to repair or replace HVAC equipment.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

*NOES: None*

## **Ordinances:**

**Ordinance #2018-001:** *(Introduced and tabled at the March 1, 2018 Council Meeting)*

### **AN ORDINANCE AMENDING CHAPTER 850 OF THE MUNICIPAL CODE ENTITLED "ZONING" REGARDING "SHORT TERM RENTALS"**

This ordinance remains on the table

**Ordinance #2018-002:** *(Introduced and tabled at the March 1, 2018 Council Meeting)*

*Lift from the Table:*

Moved: Councilmember Ward 3 White

Seconded: Council Member Ward 1 Cutri

*Vote Result: Carried unanimously by voice vote (9-0)*

*Vote on ordinance:*

Moved: Councilmember Ward 3 White

Seconded: Council Member Ward 1 Cutri

*Vote Result: Carried unanimously by voice vote (9-0)*

**Ordinance #2018-003:**

Councilmember-at-Large Whitcomb read the following Ordinance and placed it on the table.

### **AN ORDINANCE AMENDING CHAPTER 850 OF THE MUNICIPAL CODE TO PERMIT SELF-STORAGE FACILITIES IN THE MU-3 ZONE DISTRICT**

BE IT ENACTED by the City Council of the City of Canandaigua as follows:

**Sec. 1** Chapter 850, Article II (Terminology) of the Municipal Code is hereby amended to establish a new land use. (deletions stricken, additions in bold and underlined):

**SELF-STORAGE FACILITY**

**A facility created for the purpose of storing personal property. Such a facility is partitioned into individual, securely subdivided spaces for lease. Such spaces are less than 300 square feet and rented to persons or businesses to store, access, and remove property on a self-service basis.**

**Sec.2** Section 850-49 “Mixed Use Zoning Schedule” is hereby amended as attached

A. Permitting “Self-Storage Facilities” in the MU-3 “Mixed Use- High Density” zone district.

**Sec. 3** This ordinance shall be effective thirty (30) days following its enactment.

**Ordinance #2018-004:**

Councilmember Ward 4 Sutton read the following Ordinance and placed it on the table.

**AN ORDINANCE AMENDING THE ZONING ORDINANCE:  
ARTICLE V: ESTABLISHMENTS OF ZONE DISTRICTS  
(REGARDING THE MIXED-USE ZONE DISTRICTS ON SOUTH MAIN STREET)**

BE IT ENACTED by the City Council of the City of Canandaigua as follows:

**Sec. 1.** Section § 850-22 “Zoning Map” shall be amended as attached.

- A. Portions of R-3 zone district located between Phelps Street and Green Street shall be rezoned to MU-3 “Mixed Use – High Density”; and
- B. The MU-1 zone districts located on the west side of South Main Street between Clark Street and Parrish, shall be rezoned to MU-2 “Mixed Use – Medium Density”; and
- C. Portions of the MU-3 zone district fronting on South Main Street, south of Parrish Street, shall be rezoned to MU-2 “Mixed Use – Medium Density”.

**Sec. 2.** This ordinance shall be effective thirty (30) days following its enactment.

**Ordinance #2018-005:**

Councilmember-at-Large Whitcomb read Ordinance 2018-005 and moved for its adoption.

Councilmember Ward 4 Sutton seconded the motion.

Discussion: Denise Chaapel requested that the time change be 1 ½ hours and not 2 hours so that it is consistent with the other parking downtown. There is an ongoing parking study that will provide recommendations for all downtown parking sometime in August.

Councilmember-at-Large Terwilliger moved to amend the ordinance from 2-hour parking to 1 ½ hour parking. Councilmember-at-Large Whitcomb seconded the motion.

Councilmember Ward 4 Sutton stated that since the request will probably be to change all parking to 2 hours, we should make the change for that area now. Mayor Polimeni is in favor of all parking downtown to be 2 hours so would be in favor of this staying 2 hours. There was an agreement for all to change to the 1 ½ hour so that the ordinance could be passed immediately and relief could be given to the parking situation which is currently 30 minutes.

***Vote on amendment to 1 ½ hour parking:***

*The motion CARRIED UNANIMOUSLY on the following vote:*

***AYES:*** Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.

***NOES:*** None

**AMENDED  
AN ORDINANCE AMENDING  
CHAPTER 648 OF THE MUNICIPAL CODE  
TO CHANGE THE TIME RESTRICTION ON PHOENIX STREET**

BE IT ENACTED by the City Council of the City of Canandaigua that:

**Sec. 1** That chapter 648, section 648-21 of the Municipal Code, is hereby amended as follows (additions in bold):

**§ 648-21**Parking, standing and stopping restrictions.

Parking, standing and stopping restrictions shall apply on the following streets as follows:

<b>Name of Street</b>	<b>Restriction</b>
Phoenix Street	No parking on the south side from Main Street to Jefferson Avenue
Phoenix Street	No parking on the north side from North Mill Street to Lafayette Avenue
Phoenix Street	No parking on the north side from Main Street to a point 60 feet east of the South Main Street building line
Phoenix Street	<del>30 minute</del> <b>1 ½ hour</b> parking on the north side from a point 60 feet east of the South Main Street building line to a point 145 feet easterly therefrom
Phoenix Street	No parking on the south side from Jefferson Avenue to Leicester Street

**Sec. 2** This ordinance shall be effective thirty (30) days following its enactment.

***Vote on amended ordinance:***

*The motion CARRIED UNANIMOUSLY on the following vote:*

***AYES:*** Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.

***NOES:*** None

**Local Laws: (None)**

**Manager's Report:** City Manager John Goodwin reported the following:

- As a result of the windstorm we still have residents out of power. RG&E expects to have power restored by tomorrow night.
- We also have a traffic light out on Fort Hill so please be careful.
- Terence Robinson, Corporation Council is on vacation but attending via the web.

**Appointments:**

- Councilmember-at-Large Uebbing moved to appoint Jennifer Johnston to another term on the Board of Assessment Review. Council Member Ward 1 Cutri seconded the motion.

*Vote Result: Carried unanimously by voice vote (9-0)*

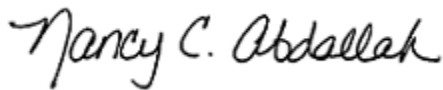
**Miscellaneous:**

- Mayor Polimeni asks Councilmembers to please attend the Blue Zone meeting on the 24<sup>th</sup> at the Middle School.

**Adjournment**

Councilmember-at-Large Uebbing moved to adjourn the regular session at 9:58 PM. Councilmember Ward 4 Sutton seconded the motion.

*Vote Result: Carried unanimously by voice vote (9-0).*



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Nancy C. Abdallah, Clerk Treasurer  
City of Canandaigua

**APPENDIX A**  
**PLANNING/DEVELOPMENT COMMITTEE**  
**Tuesday, March 6, 2018**  
**7:00 p.m.**  
**Wood Library**

**Committee:** Robert O'Brien, Chair, Bob Palumbo, Steve Uebbing (**absent**), Renée Sutton

**Other Council Members:** Mayor Polimeni, Jim Terwilliger, Dave Whitcomb, Karen White, Nick Cutri

**Staff:** John D. Goodwin, Rob Richardson, Rick Brown

**1. Mini-Storage Rezoning Request**

Tim Stone, the owner of City Mini Storage, has been acquiring property around his facility for years with the hope of expanding his business. His facility, however, is not permitted, but was allowed by variance over 30 years ago. Expansion is not possible without a change to the zoning and possibly the comprehensive plan. Mr. Stone is requesting that City Council rezone the area around his business and will be at the meeting to discuss his proposal and answer any questions the committee might have. Rick Brown, the City's Director of Development and Planning, will also be at the meeting.

Tim was at the meeting to discuss his proposal. Their primary goals are to have the City rezone the property, and to allow for self-storage to be a permitted use. They have been operating on a variance since 1985. To expand, he needs to have the property rezoned so he doesn't need to come back every time he wants to make changes. Bob asked if any of the structures would come down during the expansion- Tim said as of now that is not in the plans. They are reinvesting into the properties and renting them out. Renée asked for clarification on the expansion, and Tim confirmed it was the marked area on his schematic. As of now where he wants to expand is zoned as residential. Bob asked if there is an end date on the variance, and Rick explained this speaks to the larger vision for South Main St. In the 1970s commercial properties like gas stations started popping up. Right now it can continue to operate, but not expand. The thought was this area would become a huge residential use area, but nothing has ever popped up. It's a big decision to rezone this area, and will determine how we use the South Main St. area. We need to ask ourselves what we actually want to see there. Renée read the section of the comprehensive plan pertaining to South Main St. and asked what had been done, to which Rick replied none. Many larger commercial companies have wanted to set up shop there, but the most recent comprehensive plan prohibited that. Then the economy tanked, and we haven't seen a lot of the regional growth other municipalities. She thinks it's important to carry the character of Main St. all the way down to the lakefront. There were plans to develop the northeast corner of 5 & 20, but there was too much wetland. It is still owned by a major developer but they may have given up on the property. We zone and wait, and if nothing happens a decision needs to be made as to whether that vision is still possible. State Law prohibits the rezoning of property if it conflicts with the comprehensive plan. Robert suggested revisiting this in 2020 when the comprehensive plan- he doesn't see anything urgent. The comprehensive is a high level document you can't just chisel away at. Depending on how you read the comprehensive plan, however, this could be permitted. Bob asked what the difference is between R3 and mixed use, and R3 is residential only. Bob sees a very viable business, and suggests we rezone to an MU2. The second part of his request, however, could open up a situation where the business could expand to Main St. or competition could open across the street. In the early 2000s a committee decided to keep the line of site consistent. Jim added he would not want to see the rezoning along Main St.- he doesn't want to change the look of the street. That said, he would support this thriving business that has been in place for over a generation and changes allowing them to grow. John suggested they carry the MU3 near Sager's across Main St. to grab his big lot. Any large scale buildings would need to be built back from the street behind

the existing store front. Tim stated his goal is not to change the appearance on Main St. They want to maintain the residential rental properties they purchase. They would also like to add a second entrance coming out on Phelps St. John added that the other thing to consider is that while Tim has one set on intentions, the rezoning decision could open up opportunities for people with different motives. Jim suggested Staff come back with a few recommendations on how to maintain Main St. and allow Tim's business to expand. The Mayor asked if they were interested in buying the NYSEG building, but Tim was told that as of now it is not for sale. Jim added that Phelps St. is the last street off of Main St. that has an outlet. John stated they have a vision to connect Green St with Parrish. As of now, there is no classified use for Self-Storage, only commercial/warehouse storage in commercial zones. Tim pointed out he respects the comprehensive plan, and he can't wait three years for an answer. He would focus on the fact that he is not impacting Main St. at all. Jim reiterated his suggestion that Staff come back with options to protect Main St. while allowing Tim's business to expand. The Mayor encouraged people to go walk around down there to get a feel for what Tim is proposing.

## **2. Blue Zones Project**

Blue Zones are demographic regions of the world where people commonly live active lives past the age of 100 years. There are five (5) areas in the world identified as Blue Zones: Okinawa, Japan; the Ogliastra Region of Sardinia, Italy; Nicoya Peninsula in Costa Rica; Ikaria, Greece; and Loma Linda, California. The Blue Zones Project uses information collected from these regions to help transform communities into thriving places to live, work, eat, and play. They offer recommendations to improve or optimize city streets (smoking policies, bike lanes, sidewalks), public spaces (parks, lakes, walking paths), schools (cafeterias, safe walking paths to school), restaurants, grocery stores, employers, faith-based organizations, and community involvement. There are currently no Blue Zones in the Northeast, and the City of Canandaigua is working towards becoming the first. Mayor Polimeni will discuss the Blues Zones initiative and answer any questions about the process.

The Mayor stated this is a community health initiative to improve the health of the entire community. Albert Lea, MN did this, and she has spoken with the Mayor and intends to visit. When Albert Lea started, the goal was to make the community aware of the healthy choices available to them. Nearly all kids in grade 3-8 and 50% of businesses participate, along with about 1,000,000 residents. Walking has increased 70% in 5 years, smoking dropped 4%, and participants collectively lost 4 tons (8,000 lbs.) of weight. The Mayor pointed out we have a farm to table initiative here. They are looking to come sometime between April 23-26<sup>th</sup> of this year, and the Inn on the Lake will be supporting us with rooms and space. She would like to use the Middle School Auditorium for the community wide people. They will send a 5 person delegation to meet with the community at a variety of meetings and focus groups. There will be an event on one of these evenings called Wine at 5, to promote good health and engagement. She is very excited about this project, and we have great partners like Thompson Hospital and the Sands Center, as well as the VA Hospital. She thinks this will bring community wellness to the forefront, and Excellus, Thompson, Ontario County, and LifeSpan have all contributed to bring the Blue Zone Project here. She will keep everyone up to speed, and no, the City doesn't need to put any money in at this point.

Renée encouraged the environmentalist groups be heavily involved in the effort, and the Mayor confirmed they will be involved. This would include the City and Town of Canandaigua. Jim asked if the program is done in phases, and the Mayor confirmed it is. She hopes they can come in and offer help on how to get DOT to let a crossing be built across 5 & 20.

The Mayor brought up the open-ended questions- John suggested it read what the City can/should do to improve quality of life, and Renée would like to quantify the question by saying "give us your two best." Karen is questioning the can/should, and we decided to use should. The Mayor reminded everyone that the survey is going out to 1,600 households that will be chosen at random by the National Citizen Survey.

The Mayor suggested we move the Finance Committee meeting to March 29<sup>th</sup> to be able to attend the Safety Council Meeting, and he suggested instead we combine Finance with the Ordinance meeting.

Renée motioned to close, Bob seconded.

Meeting adjourned at 8 p.m.

**APPENDIX B**  
**ENVIRONMENTAL/PARKS COMMITTEE**  
**Tuesday, March 13, 2018**  
**7:00 p.m.**  
**Wood Library**

**Committee:** Karen White- Chair; Bob Palumbo; Renée Sutton; Dave Whitcomb

**Other Councilmembers:** Mayor Polimeni, Jim Terwilliger, Steve Uebbing (7:07 p.m.)

**City Staff:** John D. Goodwin, Rob Richardson

**1. Transfer Station Agreement**

The City of Canandaigua has an agreement in place with the Town of Canandaigua to utilize its transfer facility for purposes of removing bulk refuse and recycling waste from City residents and property owners. That contract expires April 30, 2018 and Staff recommends renewing the agreement to prevent service disruption to City residents.

John briefly discussed the agreement in place with the Town, and that this would allow the service to continue. Renée asked if the City incurs a cost, and John explained we pay the tipping fees and OT to man the station. Renée asked what it ends up annually, and John said he would get her the exact number. Bob asked if there is a separate fee to do electronics, and John said the only thing with additional costs is tube televisions. Bob asked if we could put the old TVs in our recycling- we cannot. Bob asked if we are reimbursed for any scrap metals they process, and John said he would check. Bob suggested we do a day to process these electronics. Jim asked about the term of the contract, and John said they have been doing yearly renewals with the hope of a new shared facility. The Mayor pointed out this issue was one of the things that prompted the “One Canandaigua Movement.”

Dave moved to renew, Renée seconded.

**4 in favor, 0 opposed. Motion carries to City Council.**

**2. Town Dog Park Agreement**

As mentioned at previous meetings, on-going discussions have been taking place with the Town of Canandaigua to share in the costs and construction of Canandaigua Canine Campus. The Town has offered to share in the in-kind construction work and funding (\$30,000) to complete Phase I. In return, Town residents will be charged the same membership fee and have the same access to the park as City residents. If approved, the City would only spend \$30,000 of the \$60,000 appropriated from the Parks, Playground and Open Spaces Fund. Staff recommends approving this agreement as well as amending the fund appropriation originally requested. The agreement will be sent out once available.

John explained the Town is extremely interested in helping, and will split the cost and offer in kind labor in exchange for the same usage fees as City residents. Renée asked if this meant we could do the landscaping in Phase I, and John said it would be possible. She also asked about the sidewalk on the South Side- John stated as part of this project they will be connecting the Dog Park with the end of the sidewalk to connect the right-of-way. Renée asked about crosswalk painting; he said they don't have that in the plan but they can look at it. He said they can explore a mid-block crossing but John is concerned it might not be safe. Renée asked what the process to consider this is, and John said we would need to do a traffic review with the DPW and Police, as well as the DOT. Dave asked about what the



Town gets in return, and John confirmed it would only be to give their residents the same rights and access. Renée is not comfortable about voting on an agreement she hasn't seen, and John said we can push it off to see the agreement.

**The discussion was tabled to the Ordinance Meeting on Tuesday, March 20<sup>th</sup>.**

### **3. Civic Center Sign**

The Greater Canandaigua Civic Center is planning the installation of a new sign for the facility. The sign will be more aesthetic and provide better visibility for the facility. The proposed location of the sign has raised an issue regarding the property line and right-of-way at the intersection of North Street and North Bloomfield Road. There is a City water main in the current right-of-way area (where the old street was located) that will limit the where the sign can be installed. Nevertheless; a portion of the right-of-way can be transferred to the GCCC parcel under the terms and conditions of Chapter 17 of the City Code. Section 17-6 states that property belonging to the City may be sold, transferred, leased to or exchanged with any municipal corporation at the discretion of City Council. City Council can vote to transfer a portion of the land on the west of North Bloomfield Road to the GCCC parcel, which is also owned by the City. Under Section 17-3 of the City Code, the City Council vote to approve the transfer must be approved by a three-fourths vote of the membership of the City Council. If the Committee is amenable to a transfer, City Staff will perform the necessary survey work.

John discussed the right-of-way issue for the room. In order for them to put the sign closer to the intersection, we need to change the property lines and will require a property transfer, an easement, and make sure nothing covers the water main. Option II is similar to the West Ave. fence issue which is going to litigation, so we need to avoid this option. Dave asked how big the section being transferred would be, and John said that would need to be worked out to maintain the 66 ft. right-of-way. This would require a survey. Dave is concerned that down the road the City might want to transfer or sell the Civic Center, and John said the easement would allow access to the water main and the potential for a sidewalk. Dave asked why not make it one parcel, and John said that is what we are doing. Renée is in favor of anything the Civic Center can do to raise its profile.

**Dave motioned to approve the easement, Renée seconded.**

Steve wanted to know what is in the future for the Civic Center, and Dave Corpio was on hand to give a brief synopsis. They have a donor willing to give them \$500,000 to renovate the Civic Center, and he wants to encourage the City to have more programs there. They have 11 events coming up.

**4 in favor, 0 opposed. Motion carries to full City Council.**

### **4. Special Event – Make Music Canandaigua New York**

The BID is working to create a new event for the benefit of the entire Canandaigua community by joining a national event; Make Music, founded by the National Association of Music Merchants (NAMM) Foundation. The event will showcase and promote local musicians in the community. This is a free, drop-in event would be held Thursday, June 21<sup>st</sup> from 10 a.m. until 8 p.m. and would include all parks, sidewalks, businesses and open areas within the City of Canandaigua.

Denise Chaapel was at the meeting to discuss the event. Canandaigua would be among a few communities in the Northeast. It happens June 21<sup>st</sup> every year worldwide- regardless of the day of the week it falls on. They anticipate 2,000-3,000 people this year, with the event growing annually. Karen asked if it was like the art show, and Denise explained how it is different. Anyone can perform at any

location all day long regardless of musical ability. Renée pointed out this isn't curated, and asks if someone signs up and doesn't like the music are they stuck? Denise said no. Steve added this is a worldwide event and it would be nice to be part of it.

**Dave moved to approve the application, Bob seconded.**

**4 in favor, 0 opposed. Motion carries to full City Council.**

There was one additional item John needed to discuss with the Committee. Twisted Rail would like to build a wood fence instead of a vinyl fence, so we would need to amend the resolution. No one had any objections. The next meeting may also start early if LaBella can come.

**Renée motioned to close, Bob seconded.**

**Meeting adjourned at 7:43 p.m.**

**APPENDIX C**  
**ORDINANCE COMMITTEE**  
**Tuesday, March 20, 2018**  
**7:00 PM**  
**Wood Library**

**Committee:** David Whitcomb, Chair, Nick Cutri, Jim Terwilliger, Karen White

**Other Council Members:** Mayor Polimeni, Bob Palumbo, Robert O'Brien, Renée Sutton

**Staff:** John D. Goodwin, Rob Richardson, Steven Hedworth, Rick Brown

**1. Phoenix Street Parking**

At the City Council meeting held March 1<sup>st</sup>, Mike Yarger spoke on behalf of Phoenix Street property owners who would like the parking on Phoenix Street changed from 30 Minute Parking to 90 Minute Parking. Council agreed to discuss this item was added to the Ordinance Committee.

Mike spoke briefly, and the group he represents would like on-street parking extended from 30 to 90 minutes. The Mayor suggested we extend it from 30 minutes to 2 hours. John stated that Staff has no objections to extending the parking on that street. Jim stated he is partial to the 2 hours idea, but he believes we should extend all City parking to 2 hours for on-street parking. Main St. is currently an hour and a half, and that we should make Phoenix St. the same as Main St. to begin with. The BID has identified parking as an issue, so they may be making further changes later in the year. Dave is concerned there would be a large expenditure potentially for signs, especially if we update them and make changes later.

**Karen motioned to switch Phoenix St. to 2 hour parking, Nick seconded.**

**4 in favor, 0 opposed. Motion carries to Full Council.**

**2. Ordinance #2018-001 Short Term Rentals and SEQR**

At the March 1, 2018 City Council meeting, Ordinance #2018-001 was introduced and tabled. In summary, this ordinance requires that short term rentals comply with the same rules and regulations that are required of Bed and Breakfast establishments. As this ordinance is a zoning change, the City Council must also conduct a SEQR review (attached).

Rick was at the meeting to go over the State Law requiring SEQRs and answer questions. Anything rezoned over 20 acres needs to be reassessed for environmental concerns. This is a zoning change that will have no environmental impact based on what the SEQR requires. The proposed Ordinance would have no impact on the environment. Karen asked about generation of solid waste, and Rick clarified that passing the ordinance would not create solid waste. Jim clarified that we want to be more restrictive than what is in place and passing this ordinance wouldn't change the existing conditions.

**Jim moved to approve the negative declaration of the SEQR, Nick seconded.**

**4 in favor, 0 opposed. Motion carries to City Council.**

Renée wants to look at item F, particularly the owner-occupied issue. This shouldn't be that way because they have different customers, and she would like to see that portion altered. Rick suggested changing the language to primary residence, and Renée agreed it would address the issue. Jim supports Renée's point and Rick's adjustment. Karen asked about section C, particularly carriage houses, garages or guest houses. Rick said he included this language to mirror the bed and breakfast language. Karen would also like to see the 6-guest occupancy removed because you could have 4

couples in a 4-bedroom house. Rick said we could adjust the number to a max of 10 guests. Bob suggested doing it by the number of bedrooms- a 2-bedroom house might still support 10 people. Rick suggested we do it on a case by case basis because planning commission is going to review AirBnB applications. Terrence asked if we needed to add an enforcement provision with a fine. Bob asked if we would be notifying people about the changed requirements, and Rick said people would be notified but we can't prevent people from claiming ignorance. Bob asked what the fee to apply would be, and Rick said \$100 for a special use permit. Dave suggested we might want to add more teeth to prevent people from disregarding the ordinance. Karen thinks we are fixing something that isn't broken. Terrence suggested passing the ordinance with a 90-day window to allow for compliance.

**Jim moved take the ordinance to Council with changes to Sections F, K, and C as well as an August 1, 2018 implementation date. Nick seconded.**

**3 in favor, 1 opposed. Motion carries to Full Council.**

The Mayor suggested publicizing the Public Hearing and Changes to the Ordinance.

After finishing Agenda Item 3, we returned to this topic. Jill Meyers spoke to the suggested amended ordinances, and she is considering changing her business from a bed and breakfast to a short-term rental. She asked if there is a minimum number of days to constitute a primary residence, and Rick pointed to the Federal definition of primary residences. Rick has seen this in other municipalities. The BnB owners at the meeting strongly recommended reviewing the ordinance to make them owner occupied. Renée respects the perspective of the crowd but isn't in favor of doing anything that hurts tourism in Canandaigua. She feels what's being proposed is reasonable.

### **3. Proposed Solutions for Mini-Storage Rezoning Request**

At the March 6, 2018, Planning/Development Committee meeting, the committee reviewed a request from Tim Stone, owner of City Mini Storage, to rezone an area in the South Main Street area to permit self-storage as a permitted use and allow for his business to expand. The Committee asked staff to provide options to City Council to accommodate the request, while complying with the Comprehensive Plan and ensuring that the frontages of Main Street remain unchanged for zoning purposes. Attached to the agenda are two options labeled A and B. Option A creates a MU-3 zone district on the east side of Main Street to accommodate the request and also reduces the size of the MU-3 district on the west side to include the Main Street frontages in the MU-2 district. Option A also eliminates the small pocket MU-1 zones. Option B only creates a MU-3 zone district on the east side of Main Street to accommodate the request. City staff recommends Option A as a more thorough approach.

John gave a brief synopsis of the issue, and Tim Stone was at the meeting to answer questions about his request. Staff recommends Option A over Option B. Rick explained the differences between the different allowable uses of the various mixed-use designations. Dave asked why the west side of main would change if only the east side needs to be changed, and Rick explained it's to remain consistent with the vision of the City. The Mayor asked how the process would work, and also wanted to hear from Tim Stone. John confirmed there would be a public hearing, and notices would be sent to anyone who is affected or within 200 feet of the impacted zone. Tim suggested an option C to include 6 parcels on Phelps St. Four have single family homes on them and 2 are vacant lots. Rick expressed concerns that these could be combined into a use that doesn't fit the character of a residential neighborhood but running the zone up the trailer park would provide a strong boundary. Rick also provided background information on the definitions of primary and secondary use. Jim asked about

Green St and asked about allowing both sides to be MU3. Rick said it allows development of the “big in back” Main St. per the comprehensive plan. Bob suggested we post signs to let people know- not everyone goes online to check the agenda or comes to meetings.

**Nick moved to approve Re-zoning Option C as proposed by Tim Stone, Jim seconded.**

The Mayor suggested we need two ordinances, one to approve/create personal storage as an approved use and another to put personal storage into a zoning class.

**4 in favor, 0 opposed. Motion carries to Full Council.**

#### **4. Intermunicipal Agreement for Dog Park**

At the Environmental/Parks Committee meeting held March 13<sup>th</sup>, Staff discussed interest from the Town of Canandaigua in helping the City build Canandaigua Canine Campus. The town has offered to contribute pay half (\$30,000) of the estimated \$60,000 needed to complete Phase I of the project. At the time of the committee meeting, however, the draft intermunicipal agreement was not available for review. This agenda item was pushed back to the Ordinance Committee to allow time for the document to be reviewed before Council voted to approve the agreement.

This item was bypassed to do item 5 first.

John discussed the agreement that was draft and was at the Town Board meeting where legal issues were discussed. Terence discussed these, starting in paragraph 2G. Is this going to be park land that is mutually controlled? He suggests no. The land should be controlled in perpetuity by the City. In paragraph 3 regarding the term, he recommends a 20-year window for the \$30,000 contribution. Dave pointed out they are jumping on at the last minute and we have put in the work, so we should not share ownership. Robert pointed out that, if at some point we eliminate the fee structure we would bare all the costs. John pointed out the membership fee is intended to offset the cost of dog park maintenance as well as get buy in from members to keep it nice. Dave believes the agreement is overcomplicated, and we should simplify the document. Robert thinks the term should be tied to the useful life of the contribution, such as how long a fence will last. The Mayor suggested we go back to the Town to get a simplified, clarified agreement.

The Post's were at the meeting to express their concerns over the park. Mr. Post wants to know why we are discussing this after the bulldozers have taken down trees. Dave pointed out that we've been working on this for years, and the issue being discussed is new. John explained there are multiple projects in that area. Mr. Post is angry no one notified residents. John said he has a point, and he understands their concerns. He stated when they work on sanitary sewers they don't notify residents, but when trees come down they do. The Post's are frustrated by the lack of notification and the lack of concern for how it will impact their property. Dave suggested that we talk to DPW to find a way to screen the homes, and John said that is part of the existing plan. Renée said this is why she suggested adding the tree planting to Phase I, and John said there is \$5,000 in contingency they are hoping to use those funds to address the landscaping. Jim cautioned we need to be careful what we commit too, because it does take time for planted trees to grow and protect the site lines.

#### **5. Peacemaker Brewing Concert at Rio Tomatlan**

Peacemaker Brewing Company is interested in putting together a concert in the Rio Tomatlan parking lot similar to the one they put on last year. The proposed date for the concert would be July 28, 2018,

with an earlier start and end time than last year. Similar to last year, the event will require a noise ordinance exemption from City Council. The noise ordinance (attached) allows for the City Council to grant special exemptions based on special or unusual circumstances. The event organizers complied with all City requests last year and there were no major issues. Todd Riordan from Peacemaker Brewing Company will be at the meeting to answer questions.

John pointed out all that needs to be done is to propose a noise ordinance exemption for that evening. The Mayor pointed out the normal noise ordinance allows for noise until 11 p.m. Chief Hedworth confirmed that there were no issues with the event last year and security did an excellent job keeping everyone under control. Jim is not in favor of approving this this year unless the time was moved substantially.

**Karen moves to allow the exemption, Nick seconded.**

**3 in favor, 1 opposed. Motion carries to Full Council.**

**Nick motioned to move into executive session, Jim seconded.**

**Meeting moved into Executive Session at 8:46 p.m.**

**APPENDIX D**  
**PLANNING/DEVELOPMENT COMMITTEE**  
**FINANCE/BUDGET COMMITTEE**  
**Tuesday, April 3, 2018**  
**6:00 PM**  
**Wood Library**

**Finance Committee:** James Terwilliger, Chairman, Robert O'Brien (6:45 p.m.), Steve Uebbing, Nick Cutri  
**Planning/ Development:** Robert O'Brien (6:45 p.m.), Chair, Bob Palumbo, Steve Uebbing, Renée Sutton  
**Other Council Members:** Mayor Polimeni, Karen White, Dave Whitcomb (**6:10 p.m.**)  
**Staff:** John D. Goodwin, Rob Richardson, Nancy Abdallah, Jim Sprague, Peter Virkler, Steve Hedworth, Frank Magnera

**1. 2017 Unaudited Financial Report (45 Min)**

Nancy Abdallah, the City Clerk/Treasurer, will be at the meeting to discuss the unaudited financials for Fiscal Year 2017 and answer questions. The financials will be distributed at the meeting.

Nancy reviewed the unaudited financials for Fiscal Year 2017. The time allotted wasn't sufficient to cover the entire topic, so Jim recommended everyone take these financials home and return to the next Finance Committee meeting with questions.

**Jim moved to accept the report, Nick seconded. 3 in favor, 0 opposed.**

**2. Tinkergarten Proposal (10 Min)**

Tinkergarten is an organization that provides high-quality early childhood learning program outdoors. Their programming is intended to help families connect with trained leaders in their local community for play-based kids classes that help develop core life skills, all while having fun. Tinkergarten has approached the City of Canandaigua regarding a proposal that includes allowing them to utilize City green-spaces to run their programming in return for a percentage of revenue. These programs would not have an impact on the recreation program. Staff recommends allowing Tinkergarten to use the upper fields at Baker Park. Andrea Burgess from Tinkergarten will be at the meeting to discuss the proposal.

Andrea Burgess was not at the meeting as anticipated, so the committee moved on to Agenda Item #3. It was determined that agenda item needs to be pushed back until a representative can attend a meeting.

**3. IT Department with Geneva (10 Min)**

In 2014, the City of Canandaigua and the City of Geneva entered into an Intermunicipal Agreement (IMA) for a joint Information Technology (IT) Department. The arrangement has worked exceptionally well, with the City of Geneva and the City of Canandaigua being recognized with a NYCOM award. The IMA expired December 31<sup>st</sup>, and Staff recommends renewing the IMA.

John explained the rationale behind the agreement, and why the joint department is food for the City. Renée asked about how the salary increases are determined, and John stated he meets with the Geneva City manager every year. They are technically Geneva employees, but we are consulted as they impact our budget.

**Steve moved to approve the agreement, Robert seconded. 4 in favor, 0 opposed. Motion carries to full City Council.**



**4. Surplus Property (5 Min)**

Each year the City replaces various vehicles and equipment through the Capital Budget and Plan which necessities that various vehicles and equipment that have been replaced and/or have become obsolete be declared surplus and disposed of through public auction, sealed bid or as trade-ins. The funds received from the auction and/or sale of the surplus items is deposited into to the Capital Reserve.

John discussed the items on the Surplus Property list. These items will be sold or traded in to fund new capitol purchases. The City participates in the spring Ontario County Auction.

**Nick moved to approve the list, Robert seconded.**

**4 in favor, 0 opposed. Motion carries to full City Council.**

**5. Capital Budget Amendment - Equipment Change (10 Min)**

The 2018 Capital Budget included funding (\$27,500) for the purchase of a mini skid steer for use within City parks as well as assist in sidewalk maintenance activities. While searching for this piece of equipment, staff found a mini pay loader that would accomplish the same tasks as well as be able to be utilized for other DPW operational needs due to the numerous attachments that can be added. This machine will cost \$38,500 which necessities that \$11,000 be appropriated or moved from other capital projects. There are several DPW capital projects that are under budget which are identified in the attached memorandum and Staff recommends that City Council authorize moving the necessary funds.

Jim Sprague explained why he would like to change course and purchase a mini pay loader instead of a mini skid steer. The mini pay loader offers the best value to the City, and can have multiple attachments added to it to make it a more versatile piece of machinery for DPW. The City tested one of these for a week and found the versatility is worth the extra expense. It can be used year round by both parks and street crews. He believes this will be a piece of equipment with a useful life of 15-20 years. Renée asked what will be done with the Bobcat, and if the machines do the same thing. Jim said while they do perform similar functions in some areas, but the mini pay loader is able to be used in tighter spaces and will do less damage to turf. Karen asked if they negotiate, and Jim said they give us the price up front. Renée asked if there was any thought towards a zero emission machine, and Jim said no.

**Nick moved to approve the request, Robert seconded.**

**4 in favor, 0 opposed. Motion carries to full Council.**

**6. HVAC Maintenance (10 Min)**

The City of Canandaigua DPW recently put out a bid for HVAC maintenance in City facilities. Only one bid was received, and it was submitted by Landry Mechanical located at 164 Flint Hill Road in Caledonia, NY for a total of \$16,625. Staff recommends awarding the HVAC maintenance contract to Landry Mechanical.

Jim explained this is our annual HVAC maintenance contract. Our RFP was a little tricky because the City Hall project is under warranty until later this year. Landry did the project at City Hall as well. Jim asked how this price compares, and Jim stated this was in line with what he expected. Renée asked if this is for a year, and Jim said yes. Renée asked who had the contract last year, and it was Potter. Bob asked if we received any feedback from vendors, and he said no. Robert asked if we are happy with the work they did, and Jim said he is reasonably happy. The system did not run flawlessly this winter but Landry has been great about service after the sale. The problems we experienced were on par with what could be expected for a complex job.

**Nick moved to approve the request, Steve seconded.**



**4 in favor, 0 opposed. Motion carries to full City Council.**

**7. Alternative Chlorination Change Order (10 Min)**

At its September 7<sup>th</sup> meeting, City Council passed Resolution #2017-090 awarding the contract for the Water Treatment Plant Chlorine Conversion project to Empire State Mechanical Contractors located in Palmyra, NY. Recently, Empire State Mechanical Contractors submitted a change order totaling \$5,985.88 needed to fund the relocation of ultrasonic level sensors, substitute vented ball valves, add booster pump starters, and the additional electrical work associated with the design change. Staff recommends authorizing the change order to finish the system conversion, which is still well under the \$610,158 budgeted for the project. Jim Sprague will be at the meeting to discuss the project and answer questions about the change order request.

Peter Virkler spoke regarding the conversion. The project is nearly complete, and there should be no discernable impact on the taste of the water. There were a few changes Peter noticed during the process, but these aren't additional costs. They should have been part of the original bid. So far, the conversion has cost half of what was budgeted.

**Robert moved to approve the request, Steve seconded.**

**4 in favor, 0 opposed. Motion carries to full City Council.**

There was a brief discussion regarding signs that have popped up saying the City Council does not care about the quality of drinking water. No one has heard anything specific, and Peter has not received any complaints about the water recently.

**8. Water Treatment Plant Electrical (10 Min)**

At its October 5, 2017 meeting, City Council passed Resolution #2017-102 approving a Water Budget Capital Amendment appropriating \$220,000 from the Water Capital Reserve for the required system replacement and upgrades. This action moved a planned 2018 project up into 2017. This electrical work was meant to address system failures proactively, however the work was unable to be started prior to the end of 2017 as intended. The funds need to be appropriated into the 2018 Capital Water Fund to allow the project to move forward this year.

John explained we need to re-appropriate money that was already appropriated for the project but they were unable to start the work.

**Robert moved to approve the request, Steve seconded.**

**4 in favor, 0 opposed. Motion carries to full City Council.**

Bob asked that Peter update the fire department about the chemical change relating to the alternative chlorination project, and he agreed to do so.

**9. Arterial Maintenance Agreement (10 Min)**

The City of Canandaigua entered into an agreement with the State Commissioner of Transportation on July 19, 1951 for the reimbursement of arterial maintenance work done by the City on State roads. Per the terms of the agreement, the State would reimburse the City \$0.85 per square yard for at grade sections. On March 8<sup>th</sup> the City received notice that an audit objection by the Office of the State Comptroller from 2016 necessitates a supplemental agreement with set dollar amounts in the contract. Staff recommends authorizing the supplemental agreement so the City can get paid for the work it is currently doing, as well as the work performed in 2017.

John explained that the delay was due to the State failing to notify the City. If we don't approve the amendment, we won't get paid.

**Robert moved to approve the amendment, Steve seconded.**

**4 in favor, 0 opposed.**

#### **10. Body Worn Cameras (30 Min)**

The City of Canandaigua Police Department has been exploring the use of body-worn cameras for our officers. In 2017 the Police Department commenced a PILOT program to test different body-worn cameras. The program involved a handful of officers utilizing different body-worn cameras in the field, to aid in our determination as to which camera and associated software would work best for the City. Based on these trials, Staff recommends purchasing Axon Body2Cameras because the cameras, software, and support offer the best value for the City of Canandaigua. Chief Stephen Hedworth will be at the meeting to discuss the recommendation and answer questions.

Chief Hedworth was at the meeting to discuss the process behind why the City is considering body worn cameras. He used to be completely opposed to the idea of body worn cameras, until he did research and realized they could be a valuable tool to protect officers and City residents. It allows residents to see that our police department is doing things by the book, and last year there were roughly 25,000 interactions with the community and the police department. Of those, the department only received 7 complaints and 5 were unfounded. They provide evidentiary value and transparency. He believes the cameras are an investment for the long term, and he would like to stay ahead of the curve. The vendor selected is the most commonly used and they are compatible with tasers and handgun holsters so that any time either of those weapons is drawn the cameras automatically turned on for any officer within 30 feet. The funds for body worn cameras were included in the approved 2018 Budget.

Steve asked when the cameras would turn on, and Chief said he is working on drafting general orders that state if you are responding to the call, the camera will be turned on. Renée asked if the policy allows the volume to be muted i.e. the Sacramento incident, and Chief said they can be but there are circumstances i.e. hospitals where those cameras should be muted. Chief stated the guidelines behind muting the camera will be very specific, and any time the cameras are muted the officer would need to explain why. Renée asked about the implementation and training process, and Chief said they will start with a small group and roll them out as officers feel comfortable with the cameras and the software. He believes the program should be up in running in a few months. Renée asked if there are others interested to explore group purchasing, and so far Canandaigua is the only one in Ontario County to implement the program. Renée supports the project, but wants to make sure the company is viable. Chief equated the vendor to Verizon, and stated they are the market right now. Robert asked how the rank and file officers feel, and Chief confirmed they are hesitant. The cameras, however, are to protect them. Officers from other agencies who have used them before that work in our department, however, are comfortable. If we sign the agreement sometime this month, he hopes to roll out the initial stages in June and have the program fully implemented by the end of the year. Karen asked if there are template policies he can use, as well as public access to the information. Chief stated they will honor FOIL guidelines, but a lot of the information on these cameras could be considered sensitive. Robert asked how the public will know we are using cameras, and Chief said the cameras are visible. John added these are being approved at a public meeting, and the story will likely be in the media. He also asked how they would be used with the task force, and Chief said they don't record confidential informants and wouldn't put them on detectives who are undercover in plain cloths. Renée asked if in car cameras were considered, and he said they could be expanded but most interactions occur outside of the vehicle. The cameras can be programmed in many different ways, but the more functionality they have the more expensive they become.

**Nick moved to approve the recommendation, Steve seconded.**

**4 in favor, 0 opposed. Motion carries to full City Council.**

Steve asked for an update on the drug task force, and Chief said he has a meeting on Friday which will hopefully produce a final agreement. Overall, there are only about 5 detectives working on this project- it's a small specialized unit that has specific oversight. Steve sees urgency in finalizing the agreement, and hopes any concerns over MOU language can be addressed. Chief is confident they will be able to bring something back to Council that will meet the needs of all parties. Renée pointed out that we approved the agreement as is so the program can move forward, and she isn't asking for policy to be addressed. She is only looking for accountability and transparency for the taskforce. She wants to see reporting so we can see how the program is working. Chief pointed out all the participants have their own policies, and he has no issue coming to an executive session to report the statistics. There is still urgency, and it has been full steam ahead since 2017. The agreement is important to protect the officers. Jim added Council isn't concerned with reporting in Geneva or Phelps, but what happens in the City. Renée disagrees with Jim- we are authorizing a joint venture that we are sending resources to so we need to be concerned with the overall program. She wants to see the overall work product of OntarioNET, and Chief agreed. Steve asked what the benefits of the MOU are aside from protecting participants, and Chief said it is also accountability.

#### **11. SAFER Grant (30 Min)**

The Staffing for Adequate Fire and Emergency Response (SAFER) Grant, offered annually by the Federal Emergency Management Association (FEMA), was created to provide funding directly to fire departments and volunteer firefighter organizations to help increase the number of trained, "front line" firefighters available in their communities. SAFER grants are for three years and reimburse 75% of annual costs in the first two years and 35% in year three. Although we do not have the results of the joint Town/City Fire Study, this year's SAFER application deadline is April 27, 2018. In order to provide potential funding assistance, Staff recommends submitting two SAFER grant applications (1) to hire additional professional firefighters; (2) for volunteer recruitment and retention. Chief Frank Magnera will be at the meeting to discuss the applications.

Chief Magnera was at the meeting to discuss applying for the SAFER Grant. John added if the application is approved, Council needs to agree to provide the resources necessary to make the program successful. Chief said we plan to apply for up to 5 positions, with the first 2 years funded at 75% and the 3<sup>rd</sup> year funded at 35%. Adding these firefighters permanently would increase the fire department budget by about \$500,000 annually. He hopes to use the second grant application, should it be awarded, to find ways to advertise and promote the department to make it more attractive to potential volunteers. He would like a digital sign for outside the fire house, as well as shirts and other promotional materials to be distributed. John discussed the potential financial impact this would have moving forward, because as time goes on the step schedule places the total cost on the municipality. If the grant were to come through and accepted, the levy increase without accounting for any other variables would be 2.67% for just the fire department alone. Our levy could increase by almost 15% once the grant has run. Chief added that he will be losing roughly 5 career firefighters in the next few years. Steve doesn't think we should be discussing long term costs until we have the results of the CPSM study. We still need to see what their recommendations are. The conversation needs to be limited to whether or not we will apply for the grant. Jim asked what the consequences are if we apply for the grant and decide not to hire additional fire fighters. If we are awarded the money and turn it down, it could limit our ability to receive funding down the road. Bob pointed out that adding 5 will give us 14 firefighters- does this include the already approved firefighter? John and Chief Magnera are discussing how to structure the grant application to

make it stronger (showing that the City has already committed its local share could be attractive to grant administrators). Bob asked why not apply for 10 knowing there are retirements down the road. Chief said he has to keep in mind what is affordable for the City right now. Bob asked if we applied for 10 and decided to hire 6 it would hurt the City down the road, and Frank said he has seen that happen but how the funding is administered changes every year. Jim added that up until 2010, the staffing was 15 plus the chief. That allowed for 3 on duty 24/7, but it also required structural overtime. Bob added 3 firefighters worked well knowing we had a strong volunteer base and the support of surrounding departments. The decrease in volunteers and from surrounding communities has changed things, and he thinks we need 4 on a shift. As long as we are getting that high of a percentage paid, we should shoot for the most we could get. Frank added that having more career firefighters would alleviate overtime, and he would like to see 4 on duty. Steve would like to find ways for Council to attract and nurture volunteers. He doesn't know what those solutions are, but there has to be something Council can do. Steve asked when the report will be out, and Chief said sometime in June. Steve asked if the grant will be available in future years, and Chief said he doesn't foresee it going away.

**Nick moved that we approve the application as written for career firefighters, Steve seconded for the Finance Committee.**

**2 in favor, 2 opposed. (Robert O'Brien and Jim Terwilliger voting against) Motion fails.**

**Nick moved in favor of approving the volunteer application, Steve seconded.**

**4 in favor, 0 opposed. Motion carries to full City Council.**

**For the planning committee, Renée moved to approve the application for firefighters, Steve seconded.**

**2 in favor, 2 opposed. (Bob Palumbo and Robert O'Brien voting against) Motion fails.**

**For the volunteer application, Bob moved to approve it, Renée seconded. 4 in favor, 0 opposed**

**Meeting adjourned at 8:56 p.m.**